

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION

UNITED STATES OF AMERICA ex rel.  
MARK P. DONALDSON,

Plaintiff,

v.

Case Number 03-10141-BC  
Honorable David M. Lawson

CONSERVATION RESOURCE ALLIANCE,  
CORNERSTONE ALLIANCE, HURON  
COUNTY MSU EXTENSION, ALPENA  
COMMUNITY COLLEGE, MICHIGAN APPLE  
PACKERS COOPERATIVE, MICHIGAN FARM  
BUREAU, MICHIGAN FARMERS UNION  
FOUNDATION, NORTHERN INITIATIVES CORP.,  
MICHIGAN STATE UNIVERSITY EXTENSION  
TARGET ALPENA 2000, NORTHERN  
INNOVATIVE COMMUNITIES, SPARTA TOWNSHIP,  
RESEARCH, EDUCATION & DEVELOPMENT FOR  
COOPERATIVES, DONALD L. HARE, THUMB  
OILSEED PRODUCERS COOPERATIVE, MAE O.  
LOCKE, and MONTMORENCY COUNTY MSU  
EXTENSION,

Defendants.

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**ORDER DENYING PLAINTIFF'S MOTION FOR RECONSIDERATION**

Before the Court is the plaintiff's motion seeking reconsideration of the Court's order adopting the magistrate judge's report and recommendation and dismissing the case with prejudice. Motions for reconsideration may be granted pursuant to E.D. Mich. LR 7.1(g) when the moving party shows (1) a "palpable defect," (2) that misled the court and the parties, and (3) that correcting the defect will result in a different disposition of the case. E.D. Mich. LR 7.1(g)(3). A "palpable defect" is a defect which is obvious, clear, unmistakable, manifest, or plain. *Mich. Dep't of Treasury v. Michalec*, 181 F. Supp. 2d 731, 734 (E.D. Mich. 2002) (citations omitted).

The plaintiff here has not demonstrated any mistake of fact or law that amounts to a “palpable defect.” Rather, the plaintiff re-asserts the arguments presented the first time around. The Local Rules provide, however, that any “motions for rehearing or reconsideration which merely present the same issues ruled upon by the Court, either expressly or by reasonable implication, shall not be granted.” E.D. Mich. LR 7.1(g)(3). The Court will deny the motion for reconsideration.

Accordingly, it is **ORDERED** that the plaintiff’s motion for reconsideration of the order of March 14, 2006 [dkt # 76] is **DENIED**.

s/David M. Lawson  
DAVID M. LAWSON  
United States District Judge

Dated: March 31, 2006

**PROOF OF SERVICE**

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on March 31, 2006.

s/Tracy A. Jacobs  
TRACY A. JACOBS